REMARKS/ARGUMENTS

Claims 1 and 7 have been amended in a non-limiting, grammatical manner. The amendments to claim 1 make clear that the size and the hydraulic-setting substance are different compounds, and that the fibers comprise a size which possesses certain functionalities. The amendments to claim 7 make clear that the fibers of claim 1 are added to the product.

Claim 1 has also been amended by incorporating subject matter of claim 5 into it.

Claim 5 has been canceled.

Claims 1-4 and 6-18 are currently pending.

The Office Action rejected claims 1 and 7 under 35 U.S.C § 112, second paragraph, as indefinite. Applicants respectfully submit that the above amendments have rendered this rejection moot, and that the rejection should be reconsidered and withdrawn.

The Office Action also rejected claims 1-4, 7-10, 12-14, 17 and 18 under 35 U.S.C § 102 as anticipated by U.S. patent 5,846,654 ("Modrak"); claims 1-11, 13, 14, 17 and 18 under 35 U.S.C § 102 as anticipated by EP 1,044,939 ("EP 939"); claims 5, 6 and 12 under 35 U.S.C § 103 as obvious over Modrak; claim 12 under 35 U.S.C § 103 as obvious over EP 939; and claims 1-18 under 35 U.S.C § 103 as obvious over EP 310,100 ("Hansen") in view of Cithrol product information ("Cithrol"). In view of the following comments, Applicants respectfully request reconsideration and withdrawal of these rejections.

The present invention relates to unique polyolefin fibers having unique sizing agents. More specifically, the sizing agents of the present invention comprise at least a product based on fatty-acid polyethylene glycol ester and phosphoric acid ester compounds, natural-oil-based, a product based on a fatty-acid-derived polyethylene glycol ester, and/or a product based on non-ionic surfactant and esterquats. The required, specified sizing agents assist

fiberization, assist wetting by the composition of the hydraulic-setting substance to which they have been added, and promotes adhesion to the hydraulic-setting substance. These novel fibers have beneficial properties owing at least in part to these functionalities, particularly for use in reinforcing products based on fibers and a hydraulic-setting substance. The applied art neither teaches nor suggests such unique fibers.

Applicants draw attention to the examples in the present application. In comparative examples 1 and 3, CRACKSTOP commercial product was compared to the invention fibers. CRACKSTOP is a polyolefin (polypropylene) which is coated with a surface agent (stabilizer). (See, Tab A, Section 2). The summary information in Tables 1 and 2 indicate that the invention fibers possess improved properties as compared to CRACKSTOP. Thus, as an initial observation, not all coated polyolefin fibers are the same. Some are better than others. This is the significance of the present invention: providing improved polyolefin fibers which are neither taught nor suggested by the applied art.

With specific reference to the applied art, initially Applicants note that claim 5 was not rejected under 35 U.S.C § 102 as anticipated by Modrak or under 35 U.S.C § 103 as obvious over EP 939.

Regarding the remaining anticipation rejection, EP 939 does not teach the claimed invention.

This is particularly true for claims 15 and 16 which were not rejected over Modrak.

Regarding the remaining obviousness rejections, neither Modrak nor the combination of Hansen and Cithrol suggest the claimed invention.

This is particularly true for claims 15 and 16 which were not rejected over EP 939.

Regarding Hansen, Hansen discloses fibers containing sizing agents limited to specified antistatic agents. This reference does not suggest the required sizing agents. This failure of disclosure is significant given the associated functionality of the claimed fibers,

namely assisting in fiberization, assisting in wetting by the composition of the hydraulic-setting substance to which they have been added, and promoting adhesion to the hydraulic-setting substance. The claimed sizing agents yield fibers having such functionality and, thus, yield fibers having improved properties. In stark contrast, sizing agents containing only the specified antistatic agents in the applied art would yield inferior products having inferior properties.

Hansen does not provide any specific guidance as to which sizing agents to use which would lead one of ordinary skill in the art to the claimed agents. Rather, Hansen merely discloses that any surface modification will suit his purposes. (See, page 4, line 36-39). The Office Action does not -- and cannot -- point to any specific disclosure of the required sizing agents in either of the applied European applications.

This is particularly true for claims 13, 14, 17 and 18: neither Szekely nor Hansen discloses fibers containing sizing agents comprising fatty-acid-derived polyethylene glycol ester, and their fibers yield inferior products.

This is also particularly true for claims 13-16: neither Szekely nor Hansen discloses fibers containing sizing agents comprising phosphoric acid ester compounds, natural-oil-based, and/or esterquats, and their fibers yield inferior products.

These failures of disclosure are particularly significant given the examples of the present application which demonstrate that not all coated polyolefin fibers are equal: some are significantly better than others. The present invention informs one of ordinary skill in the art of these improved fibers. The disclosures of the applied art, on the other hand, would not teach or suggest to one of ordinary skill in the art the required sizing agents or the improved properties resulting from the use of such agents. Accordingly, none of the applied art teaches or suggests the claimed invention.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C §§ 102 and 103.

Applicants believe that the present application is in condition for allowance. Prompt and favorable consideration is earnestly solicited.

Respectfully submitted,

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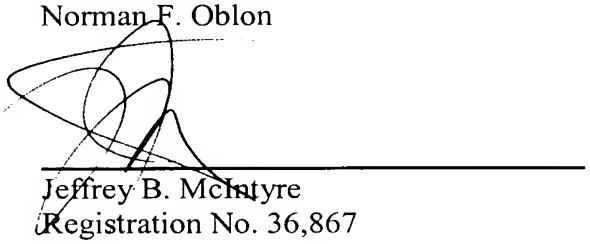

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